

REMARKS

Reconsideration and allowance of this application is requested as Independent Claims 1, 8 and 9 contain subject matter not disclosed by the references of record.

Claims 1, 8, and 9 have been again rejected under 35 USC 102 as anticipated by Miller U.S. Patent No. 5,237,617 with a "different interpretation" than the rejection of January 14, 2004. According to the statement of the rejection, Miller discloses "a synthesizer (references 37 and 38) connected or integral with said signal processing unit said synthesizer outputting a synthetic sound components signal to a device (device 32) for adding said synthesizer output signal to said output of said sound pressure sensor (signal 28 added at synthesizer 32."

In order to counter applicants' previous arguments that Miller has no output from the synthesizer which is added to or mixed with the output of the pressure sensor, the Examiner not states that the synthesizer of Miller is the card processor 37 and the personality module 38 and that the item which is labeled synthesizer in Miller is being interpreted as the device which adds the output of the synthesizer to the output of the pressure sensor.

It is submitted that this interpretation is erroneous because Miller indicates a synthesizer 32. It can not be ignored that the claim calls for a synthesizer so that to indicate something else (37,38)is a synthesizer and simultaneously indicated that synthesizer 32 is a device which adds the output from a synthesizer is clearly a misinterpretation of the reference. The plain language of the reference may not be changed.

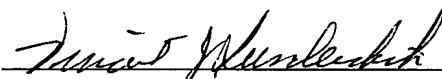
Each of Independent Claims 1, 8 and 9 recite the above relationship and thus are submitted as allowable over the reference to Miller. Thus allowance of this application containing claims 1-9 is respectfully requested.

If there are any questions regarding this reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #080437.48943).

Respectfully submitted,

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